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Part II

Department of Agriculture

Federal Grain Inspection Service

Termination of Designation of the Alabama Department of Agriculture and the D. R. Schaal Agency

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

Termination of Designations of the Alabama Department of Agriculture and Industries and the D. R. Schaal Agency

AGENCY: Federal Grain Inspection Service.

ACTION: Notice.

SUMMARY: This notice announces that the designations of two official agencies will terminate on February 28, 1982, and requests applications from parties interested in being designated as an agency to conduct official inspection, official weighing and supervision of weighing services in the geographic area currently serviced by the Alabama Department of Agriculture and Industries and as an agency to conduct official inspection services in the geographic area currently serviced by the D. R. Schaal Agency.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, Room 2405 Auditors Building, Washington, DC 20250; (202) 447-8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291; therefore, the Executive Order does not apply to this action.

Sections 7(f)(1) and 7A(c)(2) of the U.S. Grain Standards Act, as amended (7 U.S.C. 71, *et seq.*, at 79(f)(1) and 79a(c)(2)) (Act), specify that the Administrator of the Federal Grain Inspection Service is authorized, upon application by any qualified agency or person, to designate such agency or person to perform official inspection, official weighing and supervison of weighing services after a determination is made that the applicant meets the conditions as stated therein and is better able than any other applicant to provide official inspection, official weighing and supervision of weighing services in an assigned geographic area.

The Alabama Department of Agriculture and Industries (Alabama), Room 200, Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama 36109, was designated as an official agency under the Act for the performance of official grain inspection, official weighing and supervision of weighing functions on November 20, 1978. The D. R. Schaal Agency (Schaal), Highway 69 South, P.O. Box 213, Belmond, Iowa 50421, was designated as an official agency under the Act for the performance of official grain inspection functions on November 13, 1978. The two agencies' designations will terminate on February 28, 1982. Section 7(g)(1) of the Act states generally that designations of official agencies shall terminate no later than triennially and may be renewed in accordance with the criteria and procedures prescribed in the Act.

The geographic area presently assigned to Alabama pursuant to Section 7(f)(2) and 7A(c)(2) of the Act and which is the geographic area that may be assigned to the applicant selected for designation is the entire State of Alabama except those export port locations within the State.

The geographic area presently assigned to Schaal pursuant to Section 7(f)(2) of the Act and which is the geographic area that may be assigned to the applicant selected for designation is the following:

Bounded: on the North by the northern Kossuth County line from U.S. Route 169; the northern Winnebago, Worth, and Mitchell County lines;

Bounded: on the East by the eastern Mitchell County line; the eastern Floyd County line south to B60; B60 west to T64; T64 south to State Route 188; State Route 188 south to C33;

Bounded: on the South by C33 west to T47; T47 north to C23; C23 west to S56; S56 south to C25; C25 west to U.S. Route 65; U.S. Route 65 south to State Route 3; State Route 3 west to S41; S41 south to C55; C55 west to Interstate 35; Interstate 35 southwest to the southern Wright County line; the southern Wright County line west to U.S. Route 69; U.S. Route 69 to C54; C54 west to State Route 17; and

Bounded: on the West by State Route 17 north to the southern Kossuth County line; the Kossuth County line west to U.S. Route 169; U.S. Route 169 north to the northern Kossuth County line.

Also, the following location which is outside of the foregoing contiguous area, and which is presently assigned to Schaal and which is part of the geographic area that may be assigned to the applicant selected for designation is:

Farmers Co-op Company, Eagle Grove, Iowa, in Wright County.

Exceptions to the described geographic area are the following locations situated inside Schaal's area which have been and will continue to be serviced by the following official agencies:

Central Iowa Grain Inspection Service, Inc., to service the following locations:

1. Farmers Co-op Elevator Company, Chapin, Iowa, in Franklin County;
2. Hampton Farmers Co-op Company, Hampton, Iowa, in Franklin County; and
3. Farmers Community Co-op, Inc., Rockwell, Iowa, in Cerro Gordo County.

A. V. Tischer and Son, Inc., to service the following locations:

1. Cargill, Inc., Algona, Iowa, in Kossuth County;
2. Big Six Elevator, Burt, Iowa, in Kossuth County;
3. Farmers Elevator, Goldfield, Iowa, in Wright County; and
4. Farmers Co-op Elevator, Holmes, Iowa, in Wright County.

Interested parties, including Alabama and Schaal, are hereby given opportunity to apply for designation as the official agency for each respective specified geographic area, as described above, under the provisions of Section 7(f) and 7A of the Act and § 800.196(b) of the regulations issued thereunder, as applicable. The designations in each specified geographic area are for the period beginning March 1, 1982, and terminating February 28, 1985. Parties wishing to apply for any of these designations should contact the Chief, Regulatory Branch, Compliance Division, at the address listed above for appropriate forms and information. Applications must be postmarked not later than October 1, 1981, to be eligible for consideration.

In making a determination as to which applicant will be designated to provide official inspection service in the geographic areas, consideration will be given to all applications submitted and all other information available to the Administrator. All applications submitted pursuant to this notice will be available for public inspection at the Regulatory Branch, Compliance Division, during regular business hours.

(Sec. 8, Sec. 9, Pub. L. 94-582, 90 Stat. 2873, 2875 (7 U.S.C. 79, 79a))

Done in Washington, D.C. on: August 12, 1981.

J. T. Abshier,

Director, Compliance Division.

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